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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/576,218 | 05/22/2000 | Yong-Tae Jeong | P56085 | 2206 |

8439 7590 01/16/2004

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| EXAMINER |
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PHAM, THIERRY L

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| ART UNIT | PAPER NUMBER |
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2624

DATE MAILED: 01/16/2004

6

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/576,218

Applicant(s)

JEONG, YONG-TAE

Examiner

Thierry L Pham

Art Unit

2624

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Specification

The abstract of the disclosure is objected to because: languages such as “comprise” or “means” are not allowed in the abstract. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: p. 14, “HAT is claimed is” should read as “What is claimed is”. Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

1. Claims 1-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Ishii (JP No. 410116165A).

Regarding claim 6, Ishii discloses a subsystem for reducing standby time for printing in a networked system of a plurality of networked printers and at least one host printer (Fig. 1, page 3 of English translation), said subsystem comprising:

- (1) a first means (print server, page 3 of English translation) for registering at least one item of network print information (printer information, page 3 of English translation) in at least one host computer of the system;
- (2) a second means (print server, page 3 of English translation) for detecting the network printer information registered in the at least one host computer if a command for printing print-data has been selected (print data, page 3 of English translation), to provide detected network print information;

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- (3) a third means (network, Fig. 1) for transmitting a request command for requesting the networked printers of the system to transmit standby print information (abstract and page 6 of English translation) concerning the amount of standby print operations (printer print standby time, abstract) for the respective networked printers, using said detected network printer information;
- (4) a fourth means (print server, Fig. 1, page 3 of English translation) for evaluating the standby print information transmitted from the network printers in response to the request command;
- (5) a fifth means (print server, Fig. 1, page 6 of English translation) for detecting a minimum-utilized network printer (optimum printer, Abstract), which is a printer having a lowest amount of standby print operations (printer with "waiting status", that is, printers with no print operations are the printers that are having the lowest amount of standby print operations, page 6 of English translation) among the networked printers having standby print operations;
- (6) and a sixth (data transmitter, page 6 of English translation) means for transmitting the print-data to the minimum-utilized network printer detected by the fifth means.

Regarding claim 7, Ishii further discloses the system of claim 6, wherein said first means comprises:

- (1) a means (server, Fig. 1, page 3 of English translation) for determining whether a command for registering network printer information in the at least one host computer (print server searches for printer's status information store in the networked computer, page 4 of English translation) has been selected;
- (2) a means (print server, page 4 of English translation) for detecting the network printers connected to the network if said command for registering network printer information in the at least one host computer has been selected; and
- (3) a means (storing section 103 of Fig. 2, page 4 of English translation) for storing the network printer information in a memory of the at least one host computer.

Regarding claim 8, Ishii further discloses the system of claim 7, further comprising: a means for assigning priority numbers (left column, Fig. 8) to said network printer information in

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detected order, and a means for (status information storing section 306, Fig. 6, page 6) storing the assigned priority numbers in said memory.

Regarding claim 9, Ishii further discloses the system of claim 8, further comprising: a means for detecting (controlling mechanism, page 6) the priority numbers that have been assigned to the network printers having the lowest amounts of standby print operations (printer with waiting status, that is, printer with no print operations, Fig. 8), if the number of the network printers having the lowest amounts of standby print operations (printer with no print operations "standby state" are the printers with the lowest amounts of standby print operations, page 6) is at least one two (Fig. 8); and a means for selecting (selects via using a keyboard or mouse, which is incorporated among computer systems) as the minimum-utilized printer a network printer to which a preferential priority number was assigned.

Regarding claims 10-13: Claims 10-13 recite the limitations that are included in claims 6-9 (respectively); therefore, claims 10-13 are rejected for the same basis/rationale as described in claims 6-9 above (respectively).

Regarding claims 1-4: Claims 1-4 are the method claims corresponding to the apparatus claims 6-9 above (respectively). The method claims are inherent and included by the operation of the apparatus claims. Please see claims rejection basis/rationale as described in claims 6-9 above (respectively).

Regarding claim 5, Ishii further discloses the method according to claim 1, wherein said network printer information includes an Internet protocol address (second column of fig. 8) of the registered network printer.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

The following patents/publications are relevant to applicant's disclosure invention.

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
1. U.S. 6459496 to Okazawa, discloses printer's status such as standby state and/or sleep state.
2. US 2002/0105671 to Sugahara, discloses monitoring status of networked printers and sends the monitoring status to the networked computers.
3. U.S. 6333789 to Shima, discloses priority of print jobs.

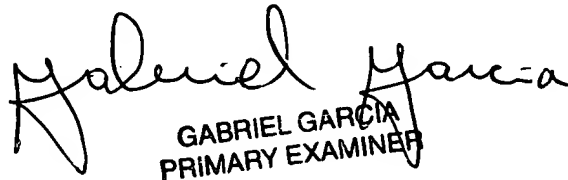
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thierry L Pham whose telephone number is (703) 305-1897. The examiner can normally be reached on M-F (8:30 AM - 5:00 PM).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K Moore can be reached on (703)308-7452. The fax phone number for the organization where this application or proceeding is assigned is (703)308-5397.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

Thierry L. Pham


December 16, 2003


GABRIEL GARCIA
PRIMARY EXAMINER